

to inspect all food possessed or offered for sale, and condemn, denature, destroy, seize or remove such food as may be unfit for consumption.

Rules and regulations.

SEC. 4. The Commissioners of the District of Columbia are authorized to make such rules and regulations as may be necessary to carry out the provisions of this Act.

Prosecutions.

SEC. 5. Prosecutions for violations of any of the provisions of this Act or of any regulations promulgated thereunder shall be on information in the police court of the District of Columbia by the corporation counsel of the District of Columbia or any of his assistants.

Penalty.

SEC. 6. Any person violating any of the provisions of this Act or any of the regulations promulgated thereunder shall, upon conviction, be fined not more than \$300 or imprisoned for not more than ninety days.

52 Stat. 1040.
21 U. S. C. §§ 301-392.

SEC. 7. This Act shall in no respect be considered as a repeal of any of the provisions of the Federal Food, Drug, and Cosmetic Act, but shall be construed as supplemental thereto.

Approved, December 16, 1941.

[CHAPTER 588]

AN ACT

December 17, 1941
[H. R. 5074]
[Public Law 351]

To provide additional safeguards to the radio communications service of ships of the United States in the interest of national defense, and for other purposes.

Radio operators aboard certain vessels. Employment unlawful if disapproved by Secretary of the Navy.
6 F. R. 2617.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That during the national emergency declared by the President on May 27, 1941, to exist, but not after July 1, 1943, or the date upon which the President proclaims the existing national defense emergency terminated, whichever occurs first, for the purpose of strengthening the national defense by providing additional safeguards, it shall be unlawful to employ any person or to permit any person to serve as radio operator aboard any vessel (other than a vessel of foreign registry) if the Secretary of the Navy—

(1) has disapproved such employment for any specified voyage, route, or area of operation, and

(2) has notified the master of the vessel of such disapproval prior to the departure thereof.

No such vessel shall be granted clearance, depart or attempt to depart from any port or place in the United States, its territories or possessions, or the Canal Zone, while having on board a person serving as radio operator in violation of this Act. For any violation of this Act, the master and the owner shall be severally subject to a penalty of not more than \$1,000 for which penalties the vessel shall be liable. Such penalties on application may be mitigated or remitted by the Secretary of Commerce.

Penalties.

Approved, December 17, 1941.

[CHAPTER 589]

AN ACT

December 17, 1941
[H. R. 5757]
[Public Law 352]

To define and punish vagrancy in the District of Columbia, and for other purposes.

District of Columbia.
Persons deemed vagrants.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following classes of persons shall be deemed vagrants in the District of Columbia:

Thieves, etc.

(1) Any person known to be a pickpocket, thief, burglar, confidence operator, or felon, either by his own confession or by his having

been convicted in the District of Columbia or elsewhere of any one of such offenses or of any felony, and having no lawful employment and having no lawful means of support realized from a lawful occupation or source, and not giving a good account of himself when found loitering around in any park, highway, public building, or other public place, store, shop, or reservation, or at any public gathering or assembly.

(2) Any person upon whom shall be found any instrument, tool, or other implement for picking locks or pockets or that is usually employed or reasonably may be employed in the commission of any crime who shall fail satisfactorily to account for the possession of the same.

Persons possessing tools for picking locks, etc.

(3) Any person leading an immoral or profligate life who has no lawful employment and who has no lawful means of support realized from a lawful occupation or source.

Leading immoral lives.

(4) Any person who keeps, operates, frequents, lives in, or is employed in any house or other establishment of ill fame, or who (whether married or single) engages in or commits acts of fornication or perversion for hire.

Keeping houses of ill fame.

(5) Any person who frequents or loafs, loiters, or idles in or around or is the occupant of or is employed in any gambling establishment or establishment where intoxicating liquor is sold without a license.

Frequenting gambling establishments, etc.

(6) Any person wandering abroad and lodging in any grocery or provision establishment, vacant house, or other vacant building, outhouse, market place, shed, barn, garage, gasoline station, parking lot, or in the open air, and not giving a good account of himself.

Lodging in vacant buildings, etc.

(7) Any person wandering abroad and begging, or who goes about from door to door or places himself in or on any highway, passage, or other public place to beg or receive alms.

Beggars.

(8) Any person who wanders about the streets at late or unusual hours of the night without any visible or lawful business and not giving a good account of himself.

Night wanderers.

(9) And all persons who by the common law are vagrants, whether embraced in any of the foregoing classifications or not.

Vagrants by common law.

SEC. 2. In all prosecutions under paragraphs 1 or 3 of section 1 of this Act the burden of proof shall be upon the defendant to show that he has lawful employment or has lawful means of support realized from a lawful occupation or source.

Burden of proof in certain cases.

SEC. 3. Any person convicted of vagrancy under the provisions of this Act shall be punished by a fine of not more than \$300 or imprisonment for not more than ninety days, or by both such fine and imprisonment, in the discretion of the court. The court may impose conditions upon any person found guilty under the aforesaid provisions and so long as such person shall comply therewith to the satisfaction of the court the imposition or execution of sentence may be suspended for such period as the court may direct; and the court may at or before the expiration of such period remand such sentence or cause it to be executed. Conditions thus imposed by the court may include submission to medical and mental examination, diagnosis, and treatment by proper public health and welfare authorities, and such other terms and conditions as the court may deem best for the protection of the community and the punishment, control, and rehabilitation of the defendant. The health officer of the District of Columbia, the Women's Bureau of the Police Department, the Board of Public Welfare, and the probation officers of the court are authorized and directed to perform such duties as may be directed by the court in effectuating compliance with the conditions so imposed upon any defendant.

Penal provisions.

Power of court to impose certain conditions.

Prosecutions.

SEC. 4. All prosecutions under this Act shall be in the police court of the District of Columbia, in the name of the District of Columbia, by the corporation counsel or any of his assistants.

Repeals.

27 Stat. 323; 30 Stat. 723; 35 Stat. 711; 49 Stat. 651.
D. C. Code §§ 22-3301, 22-2702.

SEC. 5. That section 8 of an Act entitled "An Act for the preservation of the public peace and protection of property within the District of Columbia", approved July 29, 1892, as amended by an Act of Congress approved July 8, 1898, and so much of the District of Columbia Appropriation Act for the fiscal year ending June 30, 1910, approved March 3, 1909, as defines and punishes vagrancy, and section 2 of an Act entitled "An Act for the suppression of prostitution in the District of Columbia", approved August 15, 1935, are hereby repealed. This Act shall not be construed as repealing or amending any other Acts of Congress, but shall be taken as supplementary thereto.

Right to strike or to picket.

SEC. 6. Nothing in this Act shall be construed so as to interfere with or impede or diminish in any way the right to strike or the right to picket.

Approved, December 17, 1941.

[CHAPTER 591]

AN ACT

December 17, 1941
[H. R. 6159]
[Public Law 353]

Making supplemental appropriations for the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes.

Third Supplemental National Defense Appropriation Act, 1942.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes, namely:

Title III, Military Appropriation Act, 1942.

TITLE I—WAR DEPARTMENT

MILITARY ACTIVITIES

SEC. 101. For additional amounts for appropriations for the Military Establishment, fiscal year 1942, to be supplemental to, and merged with, the appropriations under the same heads in the Military Appropriation Act, 1942, including the objects and subject to the limitations and conditions specified under said heads respectively in that Act, except as otherwise provided herein, as follows:

Ante, p. 366.

CONTINGENCIES OF THE ARMY

For contingencies of the Army, \$24,800, which shall be available for the actual and necessary expenses, as may be determined and approved by the Secretary of War, of officers, warrant officers, and enlisted men of the Army on special duty in foreign countries.

Ante, p. 366.

EXPEDITING PRODUCTION

For expediting production of equipment and supplies for national defense, \$388,000,000: *Provided*, That expenditures from appropriations under this heading may hereafter be made until June 30, 1943, without securing the specific approval of the projects by the President.

Ante, p. 366.

Proviso.

GENERAL STAFF CORPS

CONTINGENT FUND, CHIEF OF STAFF

For contingent fund, Chief of Staff, \$125,000,000, to remain available until June 30, 1943.

Ante, p. 367.